Elections Saskatchewan

Kindersley By-Election - October 4, 2002

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Elections Saskatchewan

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SASKATCHEWAN

OFFICE OF THE
CHIEF ELECTORAL OFFICER

December 23, 2003

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
129 Legislative Building
Regina, Saskatchewan
S4S 0B3

Honourable Speaker:

Pursuant to section 286 of *The Election Act, 1996*, I am honoured to submit the Report of the Chief Electoral Officer for the by-election held on October 4, 2002, in the provincial constituency of Kindersley.

The Report presents by-election financial activities by registered political party and candidate. This Report also provides an overview of election administration and official voting results by polling division. Also included is summary data for election related expenditures of Elections Saskatchewan.

Respectfully submitted,

Janice G. Baker
Chief Electoral Officer

1702 PARK STREET
REGINA, SASKATCHEWAN
CANADA S4N 6B2

TELEPHONE: (306) 787-4000 / 1-877-958-VOTE
FACSIMILE: (306) 787-4052
INTERNET: elecoff@sk.sympatico.ca

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Call of By-Election

Pursuant to subsection 35(a) of *The Legislative Assembly and Executive Council Act, 1979*, Mr. William R. Boyd, The Saskatchewan Party, vacated his seat in the constituency of Kindersley on April 4, 2002. On September 5, 2002, pursuant to an Order of the Lieutenant Governor in Council, a Writ of Election was issued by the Chief Electoral Officer to Ms. Dorothy Arthurs, constituency returning officer. The Writ ordered that the by-election be held on Friday, October 4, 2002. An Election Calendar for the Kindersley by-election is included on the last page of the Official Report.

Prior to the October 4, 2002 by-election, standing in the Legislative Assembly included: 29 New Democrat, 25 Saskatchewan Party, 3 Independent and 1 vacant.

Constituency Boundaries

The Kindersley constituency boundary was enacted in 1994 under *The Representation Act, 1994*, on the recommendation of the Constituency Boundaries Commission, 1993, as established under *The Constituency Boundaries Act, 1993*. Polling divisions for purposes of the Kindersley by-election included forty-eight (48) regular polls and four (4) personal care facilities. The Kindersley constituency polling subdivision map and Directory of Communities are set out in Appendices I and V, respectively.

Registered Political Party and Candidate Nomination

At the time of the Kindersley by-election, the Office recognized the existence of six (6) political parties in the Register of Political Parties, as maintained pursuant to section 231 of *The Election Act, 1996* (the "Act"). On September 18, 2002, nomination of candidates concluded. At close of nomination, only three (3) of the Province's registered political parties nominated candidates, as follows:

Candidate	Registered Political Party[1]	Abbreviation
Lee Pearce	New Democratic Party, Sask. Section	New Democratic Party (N.D.P.)
Del Price	Saskatchewan Liberal Association	Liberal
Jason Dearborn	The Saskatchewan Party	The Saskatchewan Party

[1] The following Kindersley By-Election Appendices abbreviate the names of the Province's registered political parties as follows: New Democratic Party, Sask. Section - N.D.P.; Saskatchewan Liberal Association - L.; The Saskatchewan Party - Sask.

Each of the registered political parties' chief official agents and candidate business managers for the by-election were as follows:

Registered Political Party	Chief Official Agent
New Democratic Party, Sask. Section	Dale Schmeichel
Saskatchewan Liberal Association	Allan McIntyre
The Saskatchewan Party	James Rybchuk
Candidate	**Business Manager**
Lee Pearce (N.D.P.)	Wayne Welte
Del Price (L.)	Carol Cote
Jason Dearborn (Sask.)	Carole L. Stevenson

Enumeration

From the 5th of September through to the 14th of September, enumeration of eligible electors was conducted for the constituency's fifty-two polling divisions. Pursuant to section 26 of the Act, constituency enumerators sat on September 30, 2002 to make necessary revisions to the voters' lists. As a result of these efforts, 9,641 Kindersley residents were declared eligible to vote, as established on the revised voters' list. In addition, pursuant to section 68 of the Act, eligible electors not included on the revised voters' list were entitled to vote by declaration.

Polling

On the 28th, 29th, 30th of September and 1st and 2nd days of October, three (3) advance polls were conducted in the Kindersley constituency. To facilitate electorate participation, special polling stations were established in two (2) hospitals. Regular polling stations were open from 9:00 a.m. to 8:00 p.m. CST on October 4, 2002, enabling the constituency's 9,641 eligible voters the opportunity to exercise their democratic franchise. Eligible voters unable to attend either a regular, special or advance poll were entitled to vote by absentee ballot.

Electoral Results

Unofficial electoral results were announced on the evening of October 4, 2002, resulting in Mr. Jason Dearborn, Saskatchewan Party, being declared Member-elect. Deposits were forfeited by the Liberal and New Democratic Party candidates, pursuant to section 47 of the Act, for not obtaining at least one half of the total number of valid votes cast for the candidate elected.

On October 16, 2002, the constituency returning officer tabulated the results of votes cast in the advance polls, special provision polls and by absentee ballot. These figures were then reflected in the constituency results concluding the final count. Upon completion of the final count, on October 28, 2002, the constituency returning officer made a Return to the Writ of Election. On November 8, 2002, the Office published in *The Saskatchewan Gazette* (Vol. 98, No. 45) notice of receipt of the Return to the Writ and the name of the candidate elected.

Registered Political Party and Candidate Financial Reporting

Pursuant to section 251 of the Act, audited Registered Political Party's Return of Election Expenses, Form E-524, were required to be filed with the Chief Electoral Officer within six (6) months of polling day (April 5, 2003). Under section 261 of the Act, candidates were required to file an audited Candidate's Return of Election Expenses, Form E-412, with the constituency returning officer, for subsequent forwarding to the Chief Electoral Officer, within three (3) months of the candidate returned being declared elected (January 16, 2003). Pursuant to the Act, the constituency returning officer published, in prescribed form, a summary of all returns respecting candidate election expenses prior to February 14, 2003.

i) Registered Political Parties

As a southern constituency, the maximum amount of money that could be spent by a registered political party in the Kindersley by-election, as set out in section 243 of the Act, was (a) the sum of $35,977.00 or (b) the sum obtained by multiplying the number of voters in the constituency (9,641) by $2.88, whichever sum was larger. A registered political party that endorsed a candidate who obtained fifteen (15) percent or more of all valid votes cast in the by-election and whose chief official agent filed a Registered Political Party's Return of Election Expenses,[2] pursuant to section 264 of the Act, was entitled to receive a reimbursement of a portion of its election expenses from the Province's General Revenue Fund. The amount reimbursed to a qualifying political party was the lesser of either (a) $11,992.33 or (b) one third of its election expenses.

All participating parties in the Kindersley by-election filed their duly audited Registered Political Party's Return of Election Expenses on or before April 5, 2003. Contributions made to political parties are not listed in the Registered Political Party's Return of Election Expenses but are set out in each party's fiscal period return, filed in accordance with section 250 of the Act. Appendix II sets out a summary of eligible expenses incurred by the registered political parties in Kindersley and the amounts paid in respect of each party who qualified for reimbursement.

ii) Candidates

Candidates seeking election in Kindersley were limited in the amount of money that they could expend. Again, as a southern constituency, a candidate seeking election was entitled to spend, pursuant to section 252 of the Act, either (a) the sum of $43,173.00 or (b) the sum obtained by multiplying the number of eligible voters in the constituency by $2.88, whichever sum was larger. A candidate who obtained fifteen (15) percent or more of all valid votes cast in Kindersley and whose business manager filed with the constituency returning officer a Candidate's Return of Election Expenses,[3] pursuant to section 265 of the Act, was entitled to reimbursement of a portion of their eligible election expenses. The amount reimbursed to a qualifying candidate was an amount equal to one half of the candidate's election expenses to a maximum of $21,586.50.

All candidates filed their returns respecting contributions received and election expenses incurred in the course of the by-election, duly audited, on or before January 16, 2003. On the 11th of April, 2003, the Office published in *The Saskatchewan Gazette* (Vol. 99, No. 15) a summary of candidate contributions received and expenditures incurred in Kindersley, as well as the amounts paid in respect of each candidate who qualified for reimbursement.

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[2] Pursuant to subsection 267(3) of the Act, auditing services rendered in respect of preparation of a report pertaining to a Registered Political Party's Return of Election Expenses is eligible for a maximum reimbursable allowance of $2,210.00.

[3] Pursuant to subsection 267(6) of the Act, auditing services rendered in respect of preparation of a report pertaining to a Candidate's Return of Election Expenses is eligible for a maximum reimbursable allowance of $717.00.

Elections Saskatchewan Expenditures

The total cost of conducting the October 4, 2002 by-election in Kindersley was $150,458.26. This figure is inclusive of, and reported by, administrative and constituency expenditure. See Appendix IV for an itemization of particular expenditures incurred in each of these two categories. Should further constituency expenditure specifics be required, refer to the Detail of Expenditures *The Election Act, 1996* Provincial Constituencies Fiscal Year 2002-2003, tabled in the Legislative Assembly on December 12, 2003.

Documentation

Pursuant to section 232 of the Act, the Chief Electoral Officer is obliged to hold, in addition to the information contained in the Register of Political Parties, all original financial particulars concerning registered political parties' fiscal period and election expenses documentation for the purposes of public inspection. Also held are the returns and the original financial documentation regarding individual candidate election expenses, pursuant to section 262 of the Act. Such information is available for public inspection during regular office hours at Elections Saskatchewan.

Election Calendar

Writ of Election:

Minimum Writ Period: (28 days) The minimum number of days between issue of the Writ of Election and Nomination Day is 11 clear days. (The date fixed for issuing the Writ of Election and the date fixed for Nomination Day are to be excluded (clause 31(3)(b) and subsection (4)).

Maximum Writ Period: (34 days) The maximum number of days between issue of the Writ of Election and Nomination Day is 17 clear days. (The date fixed for issuing the Writ of Election and the date fixed for Nomination Day are to be excluded (clause 31(3)(b) and subsection (4)).

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				-29 September 5 **WRIT ISSUES** Date of issue of Writ of Election Commence accepting nomination of candidates Enumeration Schools s. 31(2), (3)(b); s. 44	**-28** September 6	**-27** September 7 Print election Proclamation
-26 September 8 Enumeration	**-25** September 9 Begin monitoring each enumerator's progress	**-24** September 10	**-23** September 11 Last day to post election Proclamation • Returning Officer's Office • Post Offices in constituency s. 34(3)	**-22** September 12 Check completed E-200A and begin data entry of preliminary voters' lists	**-21** September 13 Photocopy secondary voters' lists (E-200) to be distributed to each candidate as available	**-20** September 14 Enumeration completed telephone C.E.O. with number of names enumerated
-19 September 15 Commence selection of voters to act as deputy returning officers, poll clerks and alternates	**-18** September 16	**-17** September 17 Reproduction of secondary Voters' Lists completed **(Day -15)** Forward 3 copies (5 copies - Northern constituencies) of each polling division list to enumerator; 10 copies including disk copy to candidates; 5 copies to C.E.O. s. 25(1)(a), (b); s. 139(5)	**-16** September 18 **NOMINATION DAY** Facsimile/Telephone C.E.O. re: candidates • Furnish to Candidates list of candidates and enumerators s. 31(3)(b); s. 35(3); s. 44(1); s. 51(1)	**-15** September 19 Arrange for publication of candidates nominated Arrange for printing of ballots s. 35; s. 51(2)	**-14** September 20 Secondary Voters' Lists, including list of enumerators, to be publicly displayed in the head office of (rural) each municipality in the constituency or (urban) the municipality in which the constituency is situated; and in the constituency Returning Officer's Office (approximately sixteen (16) days before election day) • Commence accepting revisions to the secondary Voters' Lists s. 25(1)(b)	**-13** September 21
-12 September 22 Last day to receive Absentee Voter Applications s. 87(3)	**-11** September 23 Furnish to deputy returning officers (advance and regular polls) and candidates list of absentee voters to whom ballot paper was forwarded s. 88(3), (5)	**-10** September 24 D.R.O. Schools	**-9** September 25	**-8** September 26 Election officials and campaign workers should be encouraged to vote at advance poll Last day for applicant voter to receive absentee ballot paper and related materials, if mailed s. 88(2)(b)	**-7** September 27 Last day for applicant voter to receive absentee ballot paper and related materials, if delivered s. 88(2)(a)	**-6** September 28 **ADVANCE POLL** **12 noon - 7 p.m. C.S.T.** s. 132(b)
-5 September 29 **ADVANCE POLL** **12 noon - 7 p.m. C.S.T.** s. 132(b)	**-4** September 30 **ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** **REVISION DAY** **2 p.m. - 10 p.m. C.S.T.** s. 26; s. 132(a)	**-3** October 1 **ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** Prepare to receive enumerators' expense claims s. 132(a)	**-2** October 2 **ADVANCE POLL** **3 p.m. - 10 p.m. C.S.T.** Deadline for enumerator to deliver official Voters' List to deputy returning officer s. 28(3); s. 132(a)	**-1** October 3 Receive advance poll voter information and forward to applicable deputy returning officers	**0** October 4 **ELECTION DAY** **9 a.m. - 8 p.m. C.S.T.** Ensure arrangements for the display and tabulation of unofficial results Facsimile/Telephone results of election to C.E.O. s. 62	**+1** October 5 Ensure all ballot boxes and election materials are received from deputy returning officers
+2 October 6 Prepare to receive deputy returning officers', poll clerks', etc. expense claims	**+3** October 7	**+4** October 8	**+5** October 9 Last day for forwarding Imprest Account and related financial materials to C.E.O.	**+6** October 10	**+7** October 11	**+8** October 12
+9 October 13	**+10** October 14 ***THANKSGIVING DAY*** 12 noon deadline for receipt of absentee voter certificate envelopes (postmarked not later than 8 p.m. on election day) s. 89(5)(b), (c)	**+11** October 15	**+12** October 16 **FINAL COUNT** by Returning Officer s. 31(3)(e)(i); s. 145	**+13** October 17	**+14** October 18 Collection of ballot boxes and election materials by C.E.O. • Vacate office space	**+15** October 19
+16 October 20 Last day to request a recount or an addition s. 155(2)(c)	**+17** October 21	**+18** October 22	**+19** October 23	**+20** October 24	**+21** October 25	**+22** October 26
+23 October 27	**+24** October 28 **RETURN TO THE WRIT** Forward election Return and other documents to C.E.O. s. 31(3)(f)(ii); s. 171	**+25** October 29	**+26** October 30	**+27** October 31	**+28** November 1	**+29** November 2

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Vote Summary by Constituency Polling Division: Kindersley

Appendix I

Polling Location			Votes Cast For			Ballots	
Poll No.	Name	Eligible Voters	Del Price L.	Lee Pearce N.D.P.	Jason Dearborn Sask.	Total Counted	Rejected
1	Eston Rural East	140	9	17	66	92	-
2	Eston North	242	43	19	75	137	1
3	Eston East	231	34	24	74	132	1
4	Eston West	243	34	15	88	137	-
5	Eston Rural West	118	14	8	49	71	-
6	Madison/Glidden	205	17	9	43	69	1
7	Eatonia Rural	250	58	13	83	154	1
8	Eatonia South	140	32	6	35	73	-
9	Eatonia North	183	45	13	59	117	-
10	Mantario/Empress	150	27	1	22	50	-
11	Alsask	154	20	19	56	95	-
12	Marengo/Flaxcombe	202	20	18	63	101	-
13	Kindersley Rural	215	19	21	67	107	1
14	Kindersley	167	21	25	48	94	-
15	Kindersley	234	15	25	60	100	1
16	Kindersley	243	23	18	49	90	-
17	Kindersley	264	11	21	56	88	-
18	Kindersley	154	17	18	70	105	-
19	Kindersley	202	26	27	75	128	2
20	Kindersley	277	24	25	67	116	1
21	Kindersley	248	26	24	78	128	-
22	Kindersley	145	7	11	47	65	-
23	Kindersley	242	28	26	62	116	-
24	Kindersley	274	34	17	77	128	1
25	Beadle/Netherhill	227	20	14	41	75	-
26	Brock	266	18	24	79	121	1
27	Plenty	202	8	11	72	91	-
28	Dodsland Rural	183	16	5	60	81	-
29	Dodsland	151	23	7	46	76	-
30	Coleville Rural	160	14	-	52	66	-
31	Coleville	197	23	6	50	79	-
32	Smiley	173	6	11	52	69	1
33	Hoosier	133	7	6	56	69	-
34	Major	212	16	13	79	108	1
35	Kerrobert Rural	181	14	14	56	84	-
36	Kerrobert West	177	14	16	31	61	-
37	Kerrobert South	294	22	31	53	106	-
38	Kerrobert North	231	22	18	47	87	-
39	Tramping Lake	181	32	13	41	86	-
40	Luseland Rural	218	14	9	66	89	-
41	Luseland West	191	14	15	61	90	-
42	Luseland East	188	19	23	71	113	1
43	Cactus Lake	119	4	3	39	46	-
44	Primate	189	4	5	50	59	-
45	Denzil	170	12	10	61	83	-
46	Salvador/Reward	187	9	8	47	64	-
47	Sunnyglen	149	-	3	23	26	-
48	Scott	188	3	29	24	56	-
	Eatonia Personal Care Home, Eatonia	19	9	3	-	12	-
	Eston Integrated Health Care Facility, Eston	26	4	11	9	24	-
	Kerrobert Integrated Health Care Facility (I), Kerrobert	27	-	3	-	3	-
	Kindersley Integrated Health Care Facility (I), Kindersley	81	4	6	5	15	-
	Eston Advance		8	5	40	53	-
	Kerrobert Advance		10	9	27	46	-
	Kindersley Advance		49	43	98	190	2
	Absentee Ballots		2	3	10	15	2
	Hospital/Remand Ballots		2	-	4	6	1
	Totals	9,641	1,026	797	2,919	4,742	19
	Candidate Elected - Jason Dearborn						
	Plurality	1,893					
	% Who Voted	49.38%					
	% By Party		21.64%	16.81%	61.55%		

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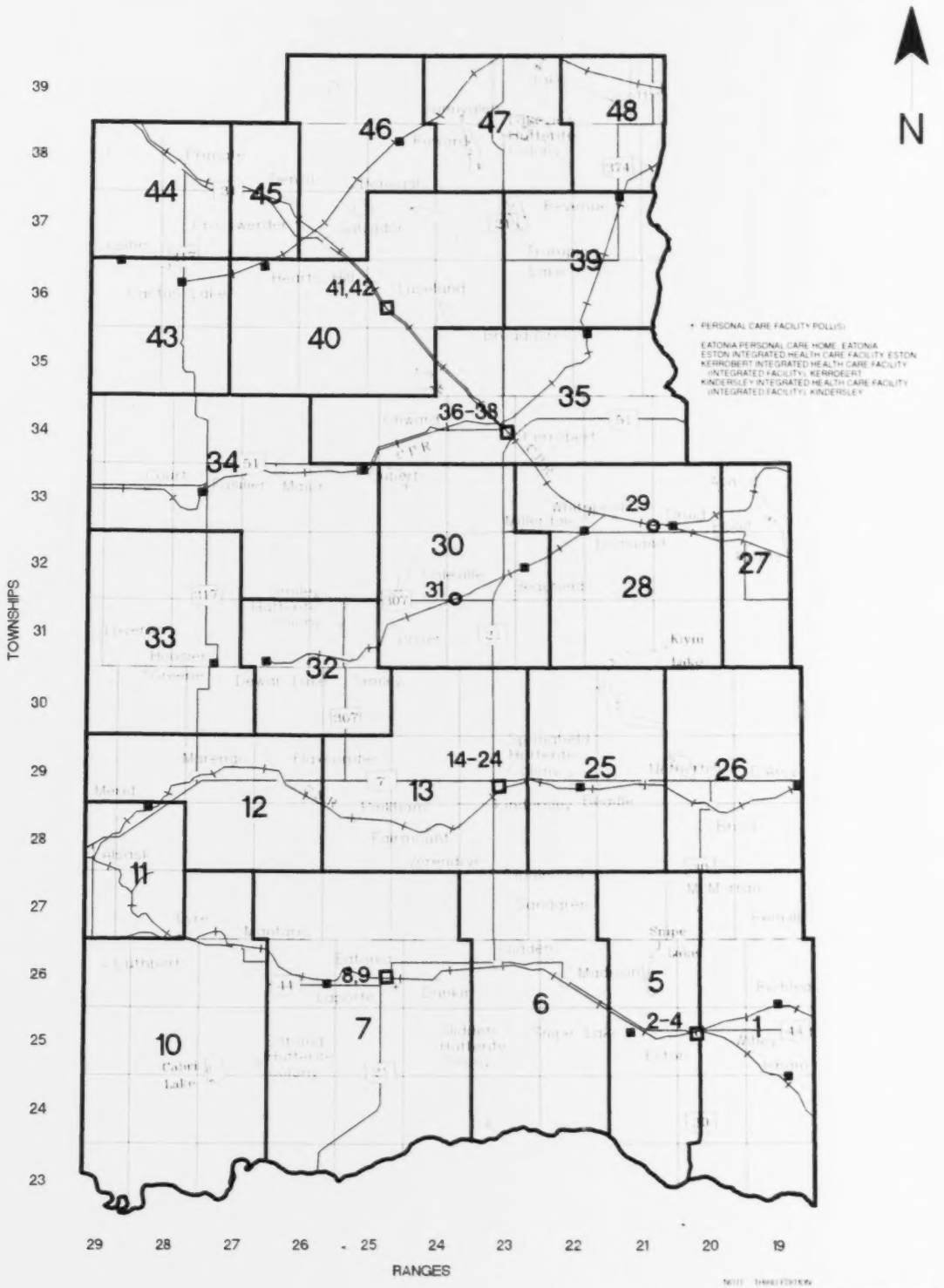
Constituency of Kindersley



NOTE: THIRD EDITION

CONSTITUENCY BOUNDARIES ARE DRAWN PURSUANT TO THE REPRESENTATION ACT, 1994 PUBLISHED BY THE CHIEF ELECTORAL OFFICER. URBAN MUNICIPAL BOUNDARIES AS OF JULY 1, 1993

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Summary of Expenses Incurred and Reimbursements Paid: Registered Political Parties

Registered Political Party	Maximum Expenses Allowable	Petty Expenses	Hire of Premises	Advertising
Liberal	35,977.00	1,786.63	800.00	-
New Democratic Party (N.D.P.)	35,977.00	-	-	-
The Saskatchewan Party	35,977.00	-	-	-
Totals	107,931.00	1,786.63	800.00	-

(a) Unpaid claims, if paid, are included in the total of expenses used for the calculation of reimbursement; disputed claims are not.

Services	Goods Supplied	Travel and Hire of Vehicle	Unpaid or Disputed Claims(a)	Total of Expenses	Amount of Reimbursement
2,880.00	-	3,161.37	914.83	9,542.83	2,876.00
118.71	-	930.07	-	1,048.78	349.59
11,668.75	-	-	-	11,668.75	3,889.58
14,667.46	-	4,091.44	914.83	22,260.36	7,115.17

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Summary of Contributions Received, Expenses Incurred and Reimbursements Paid: Candidates and Business Managers

Candidate	Contributions Received	Maximum Expenses Allowable	Candidate's Personal Expenses(a)	Candidate's Campaign Expenses	Petty Expenses	Hire of Premises
Kindersley						
(Eligible Voters - 9,641)						
Del Price (L.)	51,186.89	43,173.00	2,223.23	339.84	594.00	1,500.00
Lee Pearce (N.D.P.)	17,826.17	43,173.00	22.95	2,781.77	439.98	700.00
Jason Dearborn (Sask.)	42,467.56	43,173.00	-	590.62	1,603.16	700.00
Totals	111,480.62	129,519.00	2,246.18	3,712.23	2,637.14	2,900.00

(a) Candidate's personal expenses are not included in the total of expenses.
(b) Unpaid claims, if paid, are included in the total of expenses used for the calculation of reimbursement; disputed claims are not.

Advertising	Services	Goods Supplied	Travel and Hire of Vehicle	Unpaid or Disputed Claims(b)	Total of Expenses	Amount of Reimbursement
4,124.85	11,773.80	19,407.71	5,432.80	-	43,173.00	21,586.50
1,247.49	8,817.39	3,348.19	49.25	-	17,384.07	8,692.04
5,215.10	15,254.50	16,583.79	-	-	39,947.17	19,973.59
10,587.44	35,845.69	39,339.69	5,482.05	-	100,504.24	50,252.13

By-Election: Constituency of Kindersley

I.	Elections Saskatchewan	
	A) Administration	
	(i) Advertising	$ 20,560.63
	(ii) General Contractual Services	280.17
	(iii) Postal/Courier/Freight	89.80
	(iv) Travel/Business	629.38
	(v) Transportation	397.60
	B) Registered Political Parties	
	(i) Reimbursement of Registered Political Parties' Election Expenses	7,115.17
	(ii) Reimbursement of Auditors' Fees	1,243.00
	Elections Saskatchewan Expenditure	$ 30,315.75
II.	Constituency	
	A) Election Officials	
	(i) Returning Officer	$ 4,340.00
	(ii) Election Clerk	3,000.00
	(iii) Enumerators	19,491.55
	(iv) Polls (Officials/Rental of Space)	27,184.39
	B) Administration	
	(i) General Contractual Services	1,226.00
	(ii) Rent of Ground/Buildings/Office Space	1,600.00
	(iii) Rent of Office Equipment	80.00
	(iv) Information Technology	379.48
	(v) Telephones	1,525.14
	(vi) Miscellaneous Materials/Supplies	88.92
	(vii) Postal/Courier/Freight	244.23
	(viii) Advertising	2,335.20
	(ix) Printing/Duplicating (Ballots/Proclamation/Voters' List)	3,022.88
	(x) Travel/Business	3,221.59
	C) Candidates	
	(i) Reimbursement of Candidates' Election Expenses	50,252.13
	(ii) Reimbursement of Auditors' Fees	2,151.00
	Constituency Expenditure	$120,142.51
	Total By-Election Expenditures	**$150,458.26**

Eligible Voters 9,641
Cost Per Voter $15.61 (15.606084)

Community	
Alsask	Village
Beadle	Hamlet
Beaufield	Hamlet
Broadacres	Hamlet
Brock	Village
Cactus Lake	Organized Hamlet
Coleville	Village
Cosine	Hamlet
D'Arcy	Hamlet
Denzil	Village
Dewar Lake	Hamlet
Dodsland	Village
Druid	Hamlet
Eatonia	Town
Eston	Town
Flaxcombe	Village
Fusilier	Hamlet
Glidden	Hamlet
Hearts Hill	Hamlet
Hoosier	Hamlet
Isham	Hamlet
Kerrobert	Town
Kindersley	Town
Laporte	Organized Hamlet
Loverna	Village
Luseland	Town
Madison	Hamlet
Major	Village
Mantario	Village
Marengo	Village
Merid	Hamlet
Millerdale	Hamlet
Netherhill	Village
Plenty	Village
Primate	Village
Revenue	Hamlet
Reward	Hamlet
Richlea	Hamlet
Salvador	Hamlet
Scott	Town
Smiley	Village
Snipe Lake	Hamlet
Superb	Hamlet
Tramping Lake	Village